

## AMENDMENTS TO THE CLAIMS:

The listing of claims will replace all prior versions, and listings, of claims in the application:

### LISTING OF CLAIMS:

Claims 1-53. (Canceled)

54. (Currently Amended) A medical device to treat the heart, comprising:  
a plurality of ~~non-overlapping hinge~~ spring elements ~~are adapted to extend circumferentially around an outer surface of the heart~~ adapted to impart compressive force to a portion of ~~on~~ the heart during diastole and systole; and  
the ~~hinge~~ spring elements being configured to be delivered minimally invasively.

55. (Currently Amended) The medical device of claim 54, wherein the ~~hinge spring~~ elements ~~are adapted to extend circumferentially around the heart and~~ are self-sizing.

Claim 56. (Cancel)

57. (Currently Amended) The medical device of claim 54, wherein the ~~hinge spring~~ elements ~~are adapted to extend circumferentially around the heart and~~ are self-tensioning.

Claims 58 and 59. (Cancel)

60. (Currently Amended) The medical device of claim 54, wherein the ~~hinge spring~~ elements have a compliance that increases as a function of increased stretch.

61. (Currently Amended) The medical device of claim 54, wherein the ~~hinge spring~~ elements have a compliance that does not decrease as a function of increased stretch.

62. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are formed into strips ~~that are adapted to extend circumferentially around the heart.~~

63. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are formed into strips that are compressible to a low profile, minimally invasive delivery diameter.

Claims 64 and 65. (Canceled)

66. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are formed from Nitinol.

67. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are elastic and have a deformed shape and a recovered shape when a load is applied and removed respectively.

68. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are compressible to a delivery diameter no greater than minimally invasive access between the patient's ribs.

69. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are compressible to a delivery diameter no greater than minimally invasive access subcostally.

70. (Currently Amended) The medical device of claim 54, wherein the hinge spring elements are compressible to a delivery diameter no greater than minimally invasive access percutaneously through the skin.